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6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

9 HB PRODUCTIONS, INC., a Nevada
Corporation

10 Plaintiff,

11 v.

12 DOE DEFENDANTS 1-5.

13 Defendants.

Case No.: 2:19-cv-1849

COMPLAINT

Jury Demand

15 HP Productions, Inc. ("Plaintiff"), a Nevada corporation, alleges the following cause of
16 action against Defendants:

17 **NATURE OF ACTION**

18 1. This matter arises under the United States Copyright Act of 1976, as amended, 17
19 U.S.C. §§ 101, et seq. (the "Copyright Act").

20 2. HP Productions alleges that each Defendant is liable for copyright infringement in
21 violation of 17 U.S.C. §§ 106 and 501, by having directly, indirectly, contributorily and/or
22 vicariously violated Plaintiff's exclusive rights in its copyrighted motion picture *Hellboy* (the
23 "Copyrighted Work" or "Work"). Attached hereto as **Exhibit 1** is a copy of the US Copyright
24 Office Certificate of Registration for *Hellboy* (USCO Reg. No. PA 2-176-664).

25 **JURISDICTION AND VENUE**

26 3. This is a civil action seeking damages and injunctive relief for copyright
27 infringement under the copyright laws of the United States (17 U.S.C. § 101 et seq.).

28 4. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §

1 1331 (federal question) and 28 U.S.C § 1338(a) (copyrights).

2 5. As shown on **Exhibit 2** attached to this Complaint, each of the Defendants' acts of
 3 copyright infringement occurred using an Internet Protocol address ("IP address") traced to a
 4 physical location within this District, and therefore, this Court has personal jurisdiction over each
 5 Defendant because: (a) each Defendant committed the infringing conduct alleged in this
 6 Complaint in the State of Nevada, or, at a minimum, committed the infringing conduct by
 7 downloading copyrighted material from or uploading it from Nevada residents located in this
 8 judicial district, and/or (b) has engaged in business transactions in the State of Nevada.

9 6. Venue in this District is proper under 28 U.S.C. § 1391(b) and (c), because (1) a
 10 substantial part of the events or omissions giving rise to the claims occurred in this District; and,
 11 (2) at least a majority of the Defendants reside in this State. Additionally, venue is proper in this
 12 District pursuant to 28 U.S.C. § 1400(a) (venue for copyright cases), because at least a majority
 13 of the Defendants or Defendants' agents reside in this District.

14 **PARTIES**

15 **A. Plaintiff HB Productions, Inc., and its Copyrighted Work**

16 7. Plaintiff HB Productions is a corporation registered under the laws of the State of
 17 Nevada. Plaintiff's principal offices are in Los Angeles, California, and Plaintiff is an affiliate of
 18 Millennium Media, a production company and distributor of a notable catalog of major motion
 19 pictures, including, among others, *Rambo*, *The Expendables*, *Olympus Has Fallen*, *London Has*
 20 *Fallen*, and the Copyrighted Work at issue in this Complaint, *Hellboy*. See
 21 www.millenniumfilms.com.

22 8. Plaintiff is the owner of the exclusive rights under copyright in the United States
 23 in *Hellboy*.

24 9. The plot of the Work is based on the graphic novels by Mike Mignola – *Hellboy*,
 25 caught between the worlds of the supernatural and human, battles an ancient sorceress bent on
 26 revenge. The Work was released in April 12, 2019.

27 10. *Hellboy* was registered with the United States Copyright Office by HB
 28 Productions, Inc., effective April 12, 2019 and assigned Registration No. PA 2-176-664. (Exhibit

1) 1).

2 11. Under the Copyright Act, Plaintiff is the proprietor of all right, title, and interest
3 in *Hellboy*, including the exclusive rights to control the reproduction and distribution of the
4 Copyright Motion Picture to the public and the right to sue for past infringement.

5 12. *Hellboy* contains wholly original material that is copyrightable subject matter
6 under the laws of the United States. It is easily discernible as a professional work as it was created
7 using professional performers, directors, cinematographers, lighting technicians, set designers and
8 editors and with professional-grade cameras, lighting and editing equipment. It has significant
9 value and has been created, produced and lawfully distributed at considerable expense.

10 13. The viewing of *Hellboy* is currently or has been offered for sale in commerce, in
11 theaters and is available for rental and/or purchase from Amazon, iTunes and Netflix, among
12 others.

13 **B. Defendants**

14 14. Each Defendant is known to the Plaintiff only as an unidentified user of an IP
15 address traced to a physical location within this District at a specific date and time (*see* Exhibit
16 2).

17 15. An IP address is a number that is assigned by an Internet Service Provider (an
18 “ISP”) to a subscriber of its Internet connection services during a specified period of time.

19 16. Identifying the subscriber assigned to an IP address at a specific time can lead to
20 the identity of the probable user or users of the IP address at that precise time when infringing
21 conduct was detected and thereby lead to a copyright infringement Defendant’s true identity.

22 **GENERAL ALLEGATIONS**

23 **A. Reasons for Seeking Relief from this Court**

24 17. Plaintiff comes to court seeking relief because its Work has been illegally pirated
25 over the Internet thousands of times worldwide, and many of these instances of piracy occurred
26 in this judicial district.

1 18. The Defendants are not merely illegal viewers of the Plaintiff's Work, but they are
2 also parties that maintained the motion picture in a manner that facilitated further distribution and
3 infringing activity by others.

4 19. The IP addresses that were used or accessed by the Defendants have also been
5 observed as associated with the peer-to-peer exchange of numerous other titles in violation of
6 others' copyrights through the BitTorrent network, and this activity indicates that the Defendants'
7 misconduct has been willful and persistent.

8 20. The volume and titles of the activity associated with each IP address accessed by
9 each Defendant indicates that each Defendant is likely either the primary subscriber assigned to
10 the IP address, someone who resides with the primary subscriber, or someone who is an authorized
11 user of the IP address and had consistent and permissive access to it.

12 21. The volume of the activity associated with the IP address accessed by each
13 Defendant indicates that anyone actively using or observing activity on that IP address would
14 likely be aware of that Defendant's conduct that is alleged in this Complaint.

15 22. The Defendants had notice of the Plaintiff's rights through general publication and
16 advertising, including, but not limited to, publication in the credits of the Work, the Plaintiff's
17 copyrighted motion picture, which bear a legally enforceable copyright notice.

18 23. On the specific dates and times of the infringing activities alleged in this Complaint
19 (Exhibit 2), the IP addresses accessed by the Defendants were managed by ISPs, who on
20 information and belief, generally assign an IP address to a single party for extended periods of
21 time, often for months, and provide Wi-Fi systems with pre-installed security and passwords.

22 24. ISPs generally notify and inform their subscribers about the importance of security,
23 put their subscribers on notice that they are each responsible for the activity associated with their
24 account, and caution their subscribers not to allow third party or unauthorized access.

25 25. The records maintained by each respective ISP can identify either each Defendant,
26 or, at a minimum, the subscriber who contracted with the ISP for service, who, in turn, is likely
27 to have knowledge that will lead to the identity of each Defendant.

26. The Plaintiff intends to seek limited expedited discovery, including leave to subpoena information from any relevant ISP, in order to ascertain the true identity of each Defendant and be in a position to timely and properly serve each Defendant with a Summons and a copy of this Complaint, or, more specifically, an Amended Complaint naming a Defendant or Defendants.

B. Defendants Used BitTorrent to Infringe Plaintiff's Copyrighted Movie

27. The acquisition, copying, and transfer of the Plaintiff's motion picture, its Copyrighted Work, is accomplished by the Defendants by their use of a BitTorrent protocol (in other words, set of computer rules) or "torrent."

28. The BitTorrent protocol is different from other Peer-to-Peer ("P2P") networks. The BitTorrent protocol makes even small computers with low bandwidth capable of participating in large data transfers across a P2P network. Accordingly, the BitTorrent protocol has become the most common peer-to-peer Internet file sharing protocol used for distributing large amounts of data; indeed, it has been estimated that users of the BitTorrent protocol on the Internet account for over a quarter of all Internet traffic, and the creators and users of BitTorrent have developed their own lexicon for use when talking about BitTorrent.¹

29. The BitTorrent protocol's popularity stems from its ability to distribute a large file without creating a heavy load on the source computer and network. In order to reduce the load on the source computer, rather than downloading a file from a single source computer (one computer directly connected to another), the BitTorrent protocol allows users, called "peers," to join a network over the Internet, called a "swarm," of host computers to download and upload from each other to: (1) make files stored on a user's computer (*e.g.* motion pictures) available for copying by other users; (2) search for files stored on other computers; and, (3) transfer exact copies of files from one computer to another over the Internet.

¹ Definitions of relevant portions of the BitTorrent vocabulary, which are fully incorporated herein, are set forth in several federal cases, *See BKGTH Productions, LLC v. John Does 1-3, 5-10, 12, 15-16, Civil Action No. 13-cv-01778-WYD-MEH, Dkt. #54, December 9, 2013, citing Patrick Collins, Inc. v. John Does 1-28, No. 12-13670, 2013 WL 359759 (E.D. Mich. Jan. 29, 2013).*

1 30. The use of BitTorrent requires multiple intentional acts. Its use requires the loading
2 of specific software, then it requires that the user join a swarm, or network. Then it requires the
3 user to both search for a file and select the file chosen for downloading and distribution over the
4 network.

5 31. As each user, or peer, joins the network and requests a copy of a file, that user
6 forms a type of social contract with the other users in the network to both download the file and
7 be part of the network in order to allow the file to be downloaded by other users, *i.e.*, other peers
8 in the network. Each new peer requesting the file receives pieces of the data from every other
9 peer who has already downloaded the file, and then that new peer, in turn, makes that content
10 available to other users in the network.

11 32. Because the BitTorrent protocol also generally limits a peer's ability to download
12 unless he or she also uploads or shares, there is substantial incentive for each peer to remain online
13 and continue to make files available for other peers to download, because remaining online
14 maximizes his or her download speed and access to additional content.

15 33. Defendants have been observed making the Plaintiff's copyrighted motion picture,
16 its Copyrighted Work, available to others in furtherance of a BitTorrent network, without
17 Plaintiff's authorization.

18 34. Specifically, Plaintiff retained Maverickeye UG ("MEU") to identify the IP
19 address that are being used by those individuals that are using the BitTorrent protocol and the
20 Internet to reproduce, distribute, display or perform the Plaintiff's Work.

21 35. MEU uses proprietary forensic software to enable the scanning of peer-to-peer
22 networks for the presence of infringing transactions.

23 36. MEU extracted the resulting data emanating from its investigation, reviewed the
24 evidence logs, and isolated the transactions and the IP addresses associated therewith for the files
25 identified by the SHA-1 hash value of: E1F8020C12028A1C9AC791E790FDC53F3F65A3E4
26 ("the "Unique Hash Number). (*See* Exhibit 2).

1 37. The IP addresses, Unique Hash Number, and infringement dates and times are
2 shown on the Exhibit 2, attached to this Complaint, accurately reflect what is contained in the
3 evidence logs, and show:

4 (A) Each Defendant had copied a piece of the Plaintiff's Work identified by the
5 Unique Hash Number; and

6 (B) Therefore, each Defendant was part of the same series of transactions.

7 38. Through each of the transactions, each of the Defendants' computers or devices
8 used their identified IP addresses to connect to the investigative server from a computer or device
9 in this District in order to transmit a full copy, or a portion thereof, of a digital media file identified
10 by the Unique Hash Number.

11 39. An agent or employee of MEU analyzed each BitTorrent "piece" distributed by
12 each IP address listed on Exhibit 2 and verified that re-assemblage of the piece using a BitTorrent
13 Client results in a fully playable digital motion picture of the Work that is identical, strikingly
14 similar, or substantially similar to the Plaintiff's original Copyrighted Work.

15 40. Further, an agent or employee of MEU confirmed that each Defendant was actively
16 distributing, or "seeding," the Plaintiff's Work to other peers in the same swarm.

17 41. Additional software using geolocation functionality is then used to confirm the
18 geographical location of the computer used in the infringement.

19 42. Though an IP address alone does not reveal the name or contact information of the
20 account holder, in this case the Internet Subscriber, it does reveal the likely general location of
21 the Defendant.

22 43. IP addresses are distributed to ISPs by public, nonprofit organizations called
23 Regional Internet Registries. These registries assign blocks of IP addresses to ISPs by geographic
24 region.

25 44. In the United States, these blocks are assigned and tracked by the American
26 Registry of Internet Numbers. Master tables correlating the IP addresses with local regions are
27 maintained by these organizations in a publicly available and searchable format. An IP address'
28 geographic location can be further narrowed by cross-referencing this information with secondary

1 sources such as data contributed to commercial databases by ISPs. This regional data of IP
2 addresses puts the Defendants in this judicial district.

3 45. The end result of the forensic software are evidence logs of infringing transactions
4 and the IP addresses of the users responsible for copying and distributing the audiovisual work,
5 here *Hellboy*. The IP addresses, Unique Hash Number, dates and times, ISP and geolocation
6 contained in Exhibit 2 correctly reflect infringers using the IP addresses and that they were all
7 part of a “swarm” of users that were reproducing, distributing, displaying and/or performing the
8 Copyrighted Work in this judicial district.²

9 **C. The Business of Piracy and Harm to Plaintiff and Society**

10 46. Internet piracy, particularly BitTorrent piracy, though known as peer-to-peer file
11 sharing, is often a for-profit business, because many software clients, torrent sites, and networks
12 generate millions of dollars in revenue through sales and advertising.

13 47. To increase the value of the advertising and sometimes subscription access sold by
14 torrent sites, many parties work to expand the pool of available titles and speed of downloads
15 available by increasing the number of member peers and, thus, the desirability of their clients and
16 networks. To accomplish this, they often reward participants who contribute by giving them faster
17 download speeds, greater access, or other benefits.

18 48. Defendants’ participation in the BitTorrent exchange of Plaintiff’s Copyrighted
19 Work is the type of activity that torrent sites use to promote their business and likely directly
20 furthered the for-profit business of at least one torrent site.

21
22
23
24 ² In logs kept in the ordinary course of business, local ISPs keep track of the IP addresses assigned to their
25 customers/subscribers. Once provided with an IP address, plus the date and time of the detected and
26 documented infringing activity, ISPs can use their subscriber logs to identify the subscriber with more
27 specificity, namely name, address and contact information. Only the ISP to whom a particular IP address
28 has been assigned for use by its subscribers can correlate that IP address to a particular subscriber. From
time to time, a subscriber of Internet services may be assigned different IP addresses from their ISP. Thus,
to correlate a subscriber with an IP address, the ISP also needs to know when the IP address was being used.
Unfortunately, many ISPs only retain for a very limited amount of time the information necessary to
correlate an IP address to a particular subscriber, making early discovery necessary and important.

1 49. Many parties, and likely some or all of the Defendants, have been compensated for
 2 their participation in expanding the availability of pirated content, such as the Plaintiff's
 3 Copyrighted Work, to others through BitTorrent networks, even if only through being granted
 4 greater access to other pirated content.

5 50. The National Crime Prevention Council has recently underscored the serious
 6 ramifications that flow from motion picture copyright infringement:

7 The individuals and industries that produce the original goods that are
 8 subsequently pirated are important to the U.S. economy. The
 9 entertainment industry in the United States employs 2.9 million people,
 10 or 2.1 percent of all U.S. jobs. The 668,000 U.S. businesses that are
 11 involved in the creation or distribution of creative works represent more
 12 than 4 percent of all businesses. The U.S. movie and television
 13 industries alone produce a trade surplus of more than \$13 billion each
 14 year. **But each year, more than 300,000 people that depend on
 copyrighted industries lose their jobs as a direct result of piracy.
 This includes not just the authors of creative works, but all those
 who derive the income from producing and distributing their
 work—movie theater staff, video store operators, movie extras,
 sound technicians, set decorators, even the caterers who supply the
 set or studio and the drivers that transport the crews.**

15 See <https://www.ncpc.org/resources/ip-theft/pirated-products>, (December 21, 2017) (emphasis
 16 added).

17 51. Therefore, the impact of piracy is far greater than the mere loss of a single sale or
 18 loss due to the distribution of one copy of a motion picture. Piracy undermines the economy, job
 19 base, and tax base on which our citizens rely, promotes a general disregard for the rights of others
 20 and the law, and is particularly harmful to persons and entities in the independent film industry,
 21 such as those persons and entities associated with the Plaintiff. See
 22 <https://www.theguardian.com/film/2014/jul/17/digital-piracy-film-online-counterfeit-dvds>
 23 (December 21, 2017).

24 52. Based on observed activity associated with Defendants' IP addresses, the
 25 Defendants are prolific proponents of the BitTorrent distribution system and thereby of advancing
 26 the BitTorrent economy of piracy.

27 53. Accordingly, giving effect to 17 U.S.C. §§ 101 et seq., and the enforcement of the
 28 intellectual property rights of persons, such as Plaintiff, who are affiliated with independent film

1 makers, and supporting their fight against the counterfeiting and piracy of their creative works, is
2 critically important to the welfare of citizens in both the United States of America and the State
3 of Nevada.

4 54. By engaging in the infringement misconduct alleged in this Complaint, the
5 Defendants deprived not only the producer of the Work from income derived from its showing in
6 public theaters, but also all persons involved in the production and marketing of this motion
7 picture, numerous owners of local theaters in Nevada where it has been shown, and their
8 employees, numerous other local theaters where it might have otherwise been shown, and their
9 employees, and, ultimately, the local Nevada economy. The Defendants' misconduct at issue in
10 this case therefore deeply offends public policy and warrants fully granting Plaintiff's requested
11 relief.

12 **JOINDER**

13 55. Each Defendant is alleged to have committed violations of 17 U.S.C. § 101 et. seq.
14 within the same series of transactions or occurrences (e.g. downloading and distribution of the
15 same Copyrighted Work owned by Plaintiff) and by using the same means (BitTorrent network)
16 at or about the same time as established by the contemporary exchange of the files bearing the
17 same Unique Hash Number.

18 56. In this case, Plaintiff's Copyrighted Work or parts thereof bear the Unique Hash
19 Number shown in Exhibit 2 and was included in at least one file of the related torrent file swarm
20 exchange joined by each Defendant.

21 57. In other words, all of the infringements alleged in this lawsuit arise from the same
22 unique copy of Plaintiff's movie as evidenced by the same cryptographic hash ID. The Defendants
23 are all part of the same "swarm" revealed by the Unique Hash Number. Each Defendant has access
24 to the file(s) containing the Copyrighted Work and the files copied and shared in the swarm
25 contain content matching the Copyrighted Work.

26 58. Defendants' acts occurred in the same or related series of torrent transactions
27 because each Defendant downloaded and/or distributed, or offered to distribute *Hellboy* to other
28 infringers on the torrent network, including the other Defendants and/or other network users, who

1 in turn without permission from Plaintiff downloaded and/or distributed the Copyrighted Work.

2 59. The temporal proximity of the monitored and observed acts of each Defendant,
3 together with the known propensity of BitTorrent participants to actively exchange files
4 continuously for hours and even days, or over a period of weeks or months, makes it apparent that
5 Defendants either directly exchanged the motion picture with each other, or did so through
6 intermediaries and each shared in the distribution of the Work to others bearing the same Unique
7 Hash Number.

8 60. Therefore, Defendants each combined with other infringers on the BitTorrent
9 network to copy and/or distribute the Work, either in the same transaction or occurrence or a series
10 of intentionally related transactions or occurrences.

11 61. This combination is established because using BitTorrent requires the
12 user/seeder/peer to intentionally download a program from BitTorrent that they then install on
13 their computer called a “client.”

14 62. The BitTorrent client is the user’s interface during the downloading/uploading
15 process. The client may be free, supported by advertising, offer upgrades or add on services for a
16 fee, or a combination of several options. The initial seeder uses the client to divide the uploaded
17 content, in this case Plaintiff’s Copyrighted Work, into pieces saved as electronic files and
18 delivers the pieces to different requesting peers.

19 63. The recipient peers then automatically begin delivering the piece they just received
20 to other peers in the swarm.

21 64. Once a peer has downloaded all the pieces, the client reassembles the pieces and
22 the peer is able to view the movie. Also, once a peer has downloaded all the pieces, that peer
23 becomes known as an “additional seed” because it now continues to download pieces to other
24 peers.

25 65. A significant element of the BitTorrent economic model is that those who
26 participate and download movies not only share and upload movies with others without charge
27 among themselves, but participants are often rewarded through various means based on the
28 volume and availability of content seeders/peers in turn provide the network.

1 66. Each Defendant is a participant in the BitTorrent distribution of pirated files, and
 2 the substantially similar conduct of each Defendant furthers a model of business that profits from
 3 theft of intellectual property including Plaintiff's Copyrighted Work.

4 67. Accordingly, pursuant to Fed.R.Civ.P. 20(a)(2) each of the Defendants is therefore
 5 properly joined at least because: (a) the infringement complained of herein by each of the
 6 Defendants was part of a series of transactions involving an identical copy of Plaintiff's
 7 Copyrighted Work; (b) the conduct of each Defendant jointly and collectively supported and
 8 advanced an economic business model of avoiding payment to the copyright holder and/or
 9 profiting from the piracy of Plaintiff's Copyrighted Work; (c) there are common questions of law
 10 and fact; and (c) each Defendant knowingly and actively participated in a combination to perform
 11 an illegal act and/or injure Plaintiff through use of the BitTorrent protocol to infringe Plaintiff's
 12 Copyrighted Work.

13 68. Permissive joinder in the instant case permits a more efficient management of
 14 Plaintiff's claims against the several Defendants, reduces the costs to Plaintiff and Defendants
 15 and reduces the costs and burdens on the Court.

16 69. Nevertheless, notice is hereby provided that on being specifically identified and
 17 on request from an identified Defendant, Plaintiff agrees to sever any Defendant that establishes
 18 material unfair prejudice in being joined in this matter and to proceed against each such Defendant
 19 individually.

20 **FIRST CLAIM FOR RELIEF**

21 **(Copyright Infringement - 17 US.C. § 101 et seq.)**

22 70. Plaintiff repeats and realleges the allegations in the previous Paragraphs as if fully
 23 set forth and incorporates them herein by reference.

24 71. Plaintiff owns the exclusive rights to the commercially released motion picture
 25 *Hellboy*, which has significant value and has been acquired, produced and created at considerable
 26 expense.

1 72. At all relevant times, Plaintiff has been the holder of the pertinent exclusive rights
2 infringed by Defendants to the Copyrighted Work *Hellboy*. The Copyrighted Work is the subject
3 of a valid Certificate of Copyright Registration, attached hereto as Exhibit 2.

4 73. Plaintiff is informed and believes that each Defendant, without the permission or
5 consent of Plaintiff, has used, and continues to use, an online media distribution system to
6 wrongfully misappropriate, reproduce and distribute to the public, including by making available
7 for distribution to others, the Copyrighted Work.

8 74. On information and belief, each Defendant participated in a swarm and/or
9 reproduced and/or distributed the same seed file(s) of the Work in digital form either directly with
10 each other or through a series of knowingly intended and related transactions.

11 75. Plaintiff has identified each Defendant by the IP address assigned to that Defendant
12 by his or her ISP and the date and at the time at which the infringing activity of each Defendant
13 was observed.

14 76. In addition, or in the alternative, Defendants acted to obtain Internet access through
15 an ISP and permitted, facilitated and materially contributed to the extensive use of the Internet
16 through his/her ISP to infringe Plaintiff's exclusive rights under The Copyright Act by or with
17 others.

18 77. Defendants, with knowledge of the infringing conduct and under an obligation to
19 monitor and stop infringement, failed to reasonably secure, police and protect the use of his/her
20 Internet service against use for improper purposes such as piracy, including the downloading and
21 sharing of Plaintiff's Copyrighted Work by others.

22 78. Defendants had the obligation and reasonable ability to supervise and control the
23 activity constituting the infringement.

24 79. In doing so, each Defendant has directly, indirectly, contributorily and/or
25 vicariously violated Plaintiff's exclusive rights of at least reproduction, preparation of derivative
26 works, and distribution of the Copyrighted Work.

27 80. Each of the actions of the Defendants described herein constitute infringement of
28 Plaintiff's exclusive rights protected under 17 U.S.C. § 101 et seq.

1 of Plaintiff.

2 (C) Pursuant to 17 U.S.C. § 503, an order that each Defendant destroy all copies of
3 *Hellboy* that Defendant has downloaded onto any computer hard drive or server without Plaintiff's
4 authorization and shall destroy all copies of *Hellboy* transferred onto any physical medium or
5 device in each Defendant's possession, custody, or control.

6 (D) An order that each Defendant file with this Court and serve on Plaintiff, within 30
7 days of service of notice of judgment, a report in writing under oath setting forth in detail the
8 manner and form in which Defendants have complied with the terms of the ordered relief.

9 (E) Pursuant to 17 U.S.C. § 504 or other applicable provisions, for actual damages in
10 the amount of at least \$10,000.00, or statutory damages, from each Defendant, at the election of
11 Plaintiff, and a finding of willful infringement.

12 (F) Pursuant to 17 U.S.C. § 505, for Plaintiff's reasonable attorney's fees and costs.

13 (G) For such other and further relief as the Court deems proper.

14 **DEMAND FOR JURY TRIAL**

15 Plaintiff hereby demands a trial by jury on all issues so triable.

16 Dated: October 1, 2019.

17 **WEIDE & MILLER, LTD.**

18 /s/ F. Christopher Austin

19 F. Christopher Austin (NV Bar No. 6559)

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21 10655 Park Run Drive, Suite 100

22 Las Vegas, NV 89144

23 *Attorney for Plaintiff HB Productions, Inc.*

EXHIBIT 1

EXHIBIT 1

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Kary A. Lush

United States Register of Copyrights and Director

Registration Number

PA 2-176-664

Effective Date of Registration:

April 12, 2019

Title

Title of Work: Hellboy

Previous or Alternate Title: Hellboy 3

Nature of Claim: Motion Picture

Completion/Publication

Year of Completion: 2019

Date of 1st Publication: April 10, 2019

Nation of 1st Publication: Belgium

Author

- **Author:** HB Productions, Inc.
- Author Created:** entire film
- Work made for hire:** Yes
- Domiciled in:** United States
- Anonymous:** No
- Pseudonymous:** No

Copyright Claimant

Copyright Claimant: HB Productions, Inc.
318 N. Carson St., #208, Carson City, NV 89701

Limitation of copyright claim

Material excluded from this claim: Motion Picture Screenplay, pre-registration of film

Previously registered: Yes

Previous registration and year: PAu 3-916-707, PRE000010470, 2017, 2018

Basis of current registration: This is a changed version of the work.

New material included in claim: Cinematographic material including performance, production as a motion picture, editing and all audio visual elements including photography dialogue, music and special effects

Certification

Name: Rick Eyler
Date: April 11, 2019

Correspondence: Yes
Copyright Office notes: Regarding special handling request: Claim upgraded for Special Handling per request received on 5/21/2019 due to pending or prospective litigation. Registration decision and certificate issued on 5/24/2019.

EXHIBIT 2

EXHIBIT 2

No	IP	Port	Client	Hit Date UTC	File Name	File Hash	ISP	Region	City	Province
1	68.104.57.53	15359	[unknown Client]	2019-09-15 18:23:44	Hellboy (2019) [WEBRip] [1080p] [YTS.LT]	SHA1: E1F8020C12028A1C9	Cox Commun	Nevada	Las Vegas	Clark County
2	98.160.134.253	34674	µTorrent Mac 1.8.7	2019-07-21 14:16:25	Hellboy (2019) [WEBRip] [1080p] [YTS.LT]	SHA1: E1F8020C12028A1C9	Cox Commun	Nevada	Las Vegas	Clark County
3	70.189.175.184	50804	libtorrent 1.0.0	2019-07-16 00:30:49	Hellboy (2019) [WEBRip] [1080p] [YTS.LT]	SHA1: E1F8020C12028A1C9	Cox Commun	Nevada	Las Vegas	Clark County
4	68.108.26.187	62222	qBittorrent 4.1.6	2019-07-13 22:20:55	Hellboy (2019) [WEBRip] [1080p] [YTS.LT]	SHA1: E1F8020C12028A1C9	Cox Commun	Nevada	Las Vegas	Clark County
5	70.173.197.128	8999	qBittorrent 4.1.6	2019-07-12 18:01:04	Hellboy (2019) [WEBRip] [1080p] [YTS.LT]	SHA1: E1F8020C12028A1C9	Cox Commun	Nevada	Las Vegas	Clark County